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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 UNITED STATES OF AMERICA,

2:11-CR-143 JCM (VCF)

9 Plaintiff,

10 v.

11 DAVID GRAY,

12 Defendant.  
13

14 **ORDER**

15 Presently before the court is the government's motion to dismiss indictment as to David  
16 Gray. (Doc. #65). The defendant has not yet filed a response.

17 The government represents that in light of certain evidentiary rulings, it "cannot continue  
18 [the] prosecution at this time." Mot. 1:19-20. In light of this representation, and in accordance with  
19 the procedures outlined in Fed. R. Crim. P. 48(a), the court grants the government leave to dismiss  
20 the indictment.

21 Therefore,

22 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the government's motion  
23 to dismiss (doc. #65) be, and the same hereby is, GRANTED.

24 DATED July 10, 2012.

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27 **UNITED STATES DISTRICT JUDGE**  
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